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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,849	02/04/2002	Sung-Kwon Lee	29926/38060	5173
4743	7590	05/18/2004	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 6300 SEARS TOWER 233 S. WACKER DRIVE CHICAGO, IL 60606			RUGGLES, JOHN S	
			ART UNIT	PAPER NUMBER
			1756	

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

10/066,849

Applicant(s)

LEE ET AL.

Examiner

John Ruggles

Art Unit

1756

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: amendments to at least claim 1 raise new issues that would require further consideration.

3. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: 1,2 and 4-14.

Claim(s) rejected: 1,2 and 4-14.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____



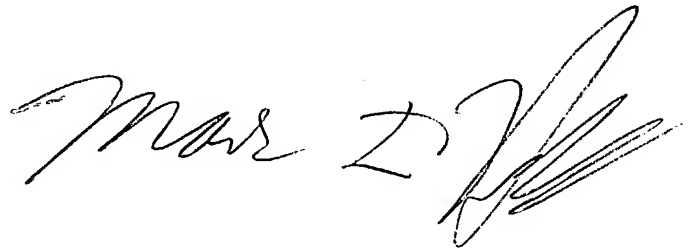
John Ruggles
Examiner
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Continuation of 3. Applicant's reply has overcome the following rejection(s): the previous objections to the claims and the previous formal rejection under the second paragraph of 35 USC 112 would be overcome by the proposed amendments, but these amendments have not been entered for at least the reasons given above. Also, while the proposed amended abstract would have overcome previous objections, this proposed abstract is not entirely grammatically correct. The phrase "by using removing an etching stop layer except a portion that surrounds a via hole" found in lines 3-4 of this proposed abstract should be changed to --by removing the etching stop layer except for a portion that surrounds the via hole--, in order to be grammatically correct. Furthermore, while proposed amendments to the specification address many of the previous objections (only some of which were previously exemplified due to the large number of corrections needed, but at least these previously exemplified objections would be overcome by the proposed amendments), these proposed amendments to the specification would either (1) require still further correction (e.g., at line 3 in the amended paragraph on page 2 of the amendment intended to replace the paragraph beginning at line 26 [should have been line 27] on page 3 of the original specification "the nitride layer" should have been corrected to --a nitride layer--, etc.) or (2) necessitate new additional objections (for example, at lines 5-6 in the amended paragraph on page 2 of the amendment intended to replace the paragraph beginning at line 20 on page 1 of the original specification "the portion of conductive layer" should be corrected to --a portion of the conductive layer--, etc.). Applicants should make all appropriate corrections in response to this Office action. The examiner can give additional assistance upon request.

Continuation of 5. does NOT place the application in condition for allowance because: the amendments have not been entered for at least the reasons given above.



John Ruggles
Examiner
Art Unit 1756



MARK F. HUFF
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